

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

RICARDO R. GARCIA, *et al.*,)
Plaintiffs,)
v.) Civil Action No. 1:19cv331-LO-MSN
VOLKSWAGEN GROUP OF AMERICA,)
INC. *et al.*,)
Defendants.)

**VOLKSWAGEN GROUP OF AMERICA, INC.'S
MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Volkswagen Group of America, Inc. (“VWGoA”), by counsel, respectfully moves the Court to dismiss Plaintiffs’ Amended Complaint, with prejudice, for failure to state a claim upon which relief can be granted under applicable law. The grounds for this Motion are set forth in the accompanying Memorandum in Support, which is incorporated herein by reference.

WHEREFORE, for the reasons set forth in the Memorandum in Support of VWGoA’s Motion to Dismiss Plaintiffs’ Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6), VWGoA respectfully requests that the Court grant its Motion and dismiss Plaintiffs’ Amended Complaint with prejudice.

Dated: August 1, 2019

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2019, I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF filing system which will send notification of electronic filing (NEF) to all counsel of record.

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